

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

IN RE:	§	
	§	CASE NO. 23-30067-hcm
A&R CHAVIRA, LLC,	§	
	§	
DEBTOR.	§	CHAPTER 11

**ORDER GRANTING NEXTGEAR CAPITAL, INC.'S MOTION TO ENJOIN DEBTOR'S  
IMPROPER USE OF CASH COLLATERAL AND MOTION TO APPOINT CHAPTER 11  
TRUSTEE**

Before me came to be heard NextGear Capital, Inc.'s Motion to Enjoin Debtor's Improper Use Of Cash Collateral And Motion To Appoint Chapter 11 Trustee (the "Motion") filed by NextGear Capital, Inc. ("NextGear") against A&R Chavira, LLC (the "Debtor"). The Court, having reviewed the Motion, objections thereto, and the argument of counsel, finds that it has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, further finds that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2), and further finds that notice of the Motion and notice of the hearing on the Motion was sufficient. The Court further finds that Debtor has improperly used cash collateral without authorization and that any continued use of cash collateral by the Debtor will irreparably harm creditors

of the bankruptcy estate. The Court further finds that the relief requested in the Motion is in the best interest of the Debtor's Estate, creditors, and other parties in interest, and that good cause has been shown by NextGear for entry of an order granting the relief requested in the Motion. It is therefore

**ORDERED** that the Motion is **GRANTED**; it is further

**ORDERED** that the United States Trustee is authorized to appoint a Chapter 11 Trustee for the Debtor herein, it is further

**ORDERED** that Debtor is hereby immediately enjoined and restrained from spending or using any cash collateral for any purpose whatsoever unless and until this Court enters an order authorizing Debtor to use of cash collateral, provided Debtor files a motion seeking use of cash collateral, fully complies with all the requirements of 11 U.S.C. § 363, and demonstrates Debtor has met all statutory conditions and requirements for use of such cash collateral. It is further

**ORDERED** that the Court shall retain jurisdiction to enforce or interpret this Order.

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